

HISTORIC PRESERVATION FUND

Appropriation Language

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), [\$74,500,000] \$67,000,000, to be derived from the Historic Preservation Fund, to remain available until September 30, [2003] 2004, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, [That, of the amount provided herein, \$2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further*, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: *Provided further*,] That of the total amount *Provided*, \$30,000,000 shall be for Save America's Treasures for priority preservation projects[, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities] of nationally significant sites, structures, and artifacts: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the [House and Senate Committees on Appropriations] Secretary of the Interior in consultation with the President's Committee on the Arts and Humanities prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior, in consultation with the President's Committee on the Arts and Humanities: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

Justification of Proposed Language Changes

1. Deletion: "That, of the amount provided herein, \$2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further*, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out herein: *Provided further*,"

Language providing one-time funding for the National Trust in fiscal year 2002 is proposed for removal.

2. Deletion: ", including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities"

Addition: "of nationally significant sites, structures, and artifacts"

It is recommended that language referring to educational applications of Save America's Treasures funding be removed so that the maximum funding is made available to meet the extraordinary demand for assistance for physical preservation projects.

3. Deletion: "House and Senate Committees on Appropriations"

Addition: "Secretary of the Interior in consultation with the President's Committee on the Arts and Humanities"

Addition: ", in consultation with the President's Committee on the Arts and Humanities"

The proposed changes would reduce the time needed to award and distribute Save America's Treasures grants and ensure that the Secretary has expert advisors available and involved in the selection process.

Authorizing Statutes

16 USC 470 National Historic Preservation Act of 1966 (Public Law 89-665, 80 Stat. 915), establishes the historic preservation grant program to provide assistance to non-federal entities for the preservation of their cultural heritage; a 1976 amendment in Public Law 94-422 established the Historic Preservation Fund as the funding source; and section 470h, as amended by Public Law 94-422 Section 108, provided the fund with \$150 million in revenues from Outer Continental Shelf receipts each fiscal year through 1997, to "remain available in the Fund until appropriated." This section also allows appropriations from the fund to be made "without fiscal year limitation," thus allowing the two-year appropriation language and the no-year appropriation language.

Executive Order 11593, May 13, 1971, institutes procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archeological significance.